

DNR REGULATORY AGENDA FOR SFY 2008
FORM FOR REGULATORY ACTION DESCRIPTION

Rule Making Authority

Director ☐
Environmental Protection Commission (EPC) ☒
Natural Resource Commission (NRC) ☐
Energy & Geological Resource Division ☐

Title of Regulatory Action

Geothermal Heat Exchange Loop Regulation

Rule Chapter(s) that may be involved

567—Chapter 39 Requirements for Plugging Abandoned Wells
567—Chapter 49 Nonpublic Water Supply Wells
567—Chapter 82 Well Contractor Certification

Description of Contemplated Regulatory Action

(Including, to the extent reasonable and practicable, alternatives to be considered and preliminary estimate of costs and benefits of the Action)

Chapter 39 will be amended to add the classification of “geothermal heat exchange borehole.”
Chapter 49 will be amended to add a sub-classification to the definition of “well” for “geothermal heat exchange borehole” and refer to a new chapter of code to specifically address geothermal installations.
Chapter 82 will be amended to include a new classification of certification and requirements for “Geothermal well driller”

Legal Basis

(Include whether action is required by statute or court order)

The IDNR has the authority to require all well installations to follow minimum construction requirements, that all well contractors be appropriately certified for each type of well service performed, and to set the experience, education, and examination requirements for the various well contractor classifications. (Code of Iowa 455B.187 & 190, 190A)

Need for Regulatory Action

(Include if applicable how the action will reduce risk to public health, safety, or the environment)

Geothermal heat exchange boreholes require more specific and more stringent construction standards than current private well construction standards in order to provide adequate protection to the groundwater and surrounding private and public drinking water supply wells.

Other Affected/Interested

Rule Making Authorities

Beef Industry Council, DED, Egg Council, Petroleum Underground storage tank fund, Sheep and Wool Promotion Board, Turkey Marketing Council

Potential Public Groups Impacted

Any of the 343 certified well contractors who install, or have the ability to install geothermal heat exchange boreholes. Also affected are the manufacturers and distributors of geothermal products and citizens who may be interested in using this technology for heating and cooling.

Schedule:

(Actions & month/year)

12/04 - 03/07: Stakeholder group meetings
8/07: Submit to EPC as an Information Item (draft rules)
9/07: Submit to EPC as a Decision Item (proposed rules)
10/07: Notice of Intended Action published in Iowa Administrative Bulletin
11/07: Hold public hearing & public comment period
12/07: Submit to EPC as a Decision Item (final rules)
1/08: Adopted & filed published in Iowa Administrative Bulletin

Staff Contact/Phone #

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